



Australian
Red Cross

Australian Red Cross Victoria

INTERNATIONAL HUMANITARIAN LAW SEMINAR SERIES 2008

(Formerly known as 'Beyond the Basics')

10 sessions X Second Monday evening of the month,
February – November 2008)



Overview and Purpose:

- What are the limits to war as prescribed by the Geneva Conventions?
- What is the unique mandate and modus operandi of the International Committee of the Red Cross (ICRC) in relation to International Humanitarian Law?
- What are the protective emblems?
- How does the military interpret and apply the rules in the course of their operations?
- How should prisoners of war be treated? What does the law say about “unprivileged belligerents”?
- What are the latest developments at international war crimes trials and tribunals?
- What about terrorism?
- And what other issues does a post-September 11 world present for IHL?

Find out the answers to these questions and more in the ten-part seminar series designed for those who wish to expand their knowledge of the law of armed conflict.

All are welcome – journalists, teachers, students (of law and other disciplines), lawyers, members of the ADF, staff or volunteers from Red Cross or other humanitarian agencies, aid workers, the general public – anyone with a keen interest in international relations, current affairs and matters of war and peace. No prior background in IHL or law is necessary. You may attend any of the sessions on an individual basis. A Certificate of Participation is available for those who see this series as a complete course, and who attend sufficient of the seminars during the year.

- Dates:**
- Seminar 1 – **Monday 11 February 2008**
 - Seminar 2 – **Monday 17 March 2008**
(Note: *Not* Mon 10 because of Labour Day holiday)
 - Seminar 3 – **Monday 14 April 2008**
 - Seminar 4 – **Monday 12 May 2008**
 - Seminar 5 – **Monday 16 June 2008**
(Note: *Not* Mon 9 because of Queens Birthday holiday)
 - Seminar 6 – **Monday 14 July 2008**
 - Seminar 7 – **Monday 11 August 2008**
 - Seminar 8 – **Monday 8 September 2008**
 - Seminar 9 – **Monday 20 October 2008**
(Note: Date change reflects lecturer availability)
 - Seminar 10 – **Monday 10 November 2008**

Usual Venue:	Australian Red Cross Victoria 23-47 Villiers Street, North Melbourne 3051
How to reach Red Cross:	Red Cross is just off Flemington Road, opposite the Royal Melbourne Hospital. Tram No 59 (to Airport West) runs from the city along Elizabeth Street. The office is walking distance from The University of Melbourne. Street parking is available after business hours – Metres only apply until 6.30pm.
Alternative Venue:	Three seminars will be hosted at the legal offices of Australian Red Cross Community Partners Mallesons Stephen Jaques - Level 50, Bourke Place, 600 Bourke Street, Melbourne. Please see program: These will be in the months of May, July and August.
How to reach Mallesons:	Mallesons is in the heart of the CBD, close to the corner of Bourke and King Streets.
Materials:	Brief notes providing an overview of the theme will be supplied at each session.
RSVPs:	Those wishing to attend are required to RSVP by the Friday prior to the Monday seminar. This will help us to prepare reading materials, set out seats and provide catering. Even though payment is made at the door, we would really appreciate everyone's diligent assistance with this registration process. RSVPs should be directed to Kaillee Dyke: Email: kdyke@redcross.org.au Phone: (03) 8327.7737
Certificate:	Full details about the requirements for acquiring an Australian Red Cross Certificate of Participation are set out on the final page.
Course Co-ordinator:	Ms Bev Patterson
Enquiries:	Ms Kaillee Dyke, IHL Administration Officer Ph: (03) 8327.7737 Email: kdyke@redcross.org.au

Outline of the 2008 Program

Monday 11 February, from 6.30pm

Seminar 1: The Geneva Conventions and Additional Protocols

Rules in war? Humanity, in armed conflict? This first seminar will provide an introduction to IHL. What are the fundamental instruments of IHL? Which nations have signed them? What are the essential principles that can be derived from the Geneva Conventions? What is the difference between IHL and Human Rights Law? How has IHL developed over 150 years? What are its inextricable links with the International Red Cross Movement?

Monday 17 March, from 6.30pm

Seminar 2: The Mandate and Work of the International Committee of the Red Cross (ICRC)

What is the legal mandate and special place of the ICRC? What does it mean to be neutral intermediary, Protecting Power, custodian/guardian of the Geneva Conventions? How does the ICRC operate in the field, especially in response to breaches of the law? The presenter of this session is a former ICRC delegate with field (particularly water/sanitation experience) in numerous war zones, including Rwanda and the former Yugoslavia.

Monday 14 April, from 6.30pm

Seminar 3: The Military Application of the Law, Part 1

What are the core principles of IHL: Distinction, military necessity, proportionality, and unnecessary suffering? How are they applied by the Australian Defence Force? How does the RAAF incorporate IHL into its operational planning and targeting? What restraints are there on weaponry?

Monday 12 May, from 6.30pm ***Held at Mallesons***

Seminar 4: The Military Application of the Law, Part 2

This seminar focuses on the on-the-ground perspective of an Army officer. What are the soldier's rules of engagement, and how are they set? Orders for opening fire? How are soldiers trained in such? Experiences of the practical application of the law, on missions such as Iraq, Afghanistan and East Timor. Why would an army obey the law? Isn't it an obstacle and a restriction, like 'fighting with one hand tied behind your back'?

Monday 16 June, from 6.30pm

Seminar 5: Discussion, Activities and Revision

In previous years, some of those undertaking the course – especially those completely new to international law - have found the material being delivered quite challenging, and a lot of detail to absorb. Tonight's seminar is purely optional, but it is offered as a chance to draw breath – to return to and review the fundamentals, to ask all those questions that might not have been addressed in the larger groups, to dip into the actual texts, to go back and discuss the briefing notes distributed each week. The evening will be low-key and informal, and will be offered if there are a handful of takers. It is also a chance to meet the others attending the seminars – What are their backgrounds and motivations for attending? Enjoy the chance to chat and mingle a little.

Monday 14 July, from 6.30pm ***Held at Mallesons***

Seminar 6: Post-September 11 Issues for IHL, Part 1

This seminar focuses on the Third Geneva Convention and the protections afforded prisoners of war. What does IHL say about the treatment of combatants detained during times of armed conflict? How do the rules governing classification of PWs apply during the so-called 'war on terrorism'? Some discussion of Guantanamo Bay issues – 'unprivileged combatants' and fair trial guarantees. Is the international prohibition on torture under threat?

Monday 11 August, from 6.30pm ***Held at Mallesons***

Seminar 7: Post-September 11 Issues, Part 2

Is the existing law of war adequate to meet the changing circumstances, especially the threat of terrorism, in the 21st century? What about the range of new players on today's battlefields – private military security contractors, embedded journalists, suicide bombers? What does 'direct participation in hostilities' (that which results in the loss of protection for civilians) actually mean? Aren't the old dividing lines – between international and non-international armed conflicts – hopelessly blurred now? How can IHL be effective in failed states?

Monday 8 September, from 6.30pm

Seminar 8: The Protective Emblems

The red cross, red crescent and red crystal – international emblems of protection. What are the origins of each? Are these emblems losing their protective value? Real life case studies from ICRC in the field, and the view and experience of those in the Australian military medical services.

Monday 13 October, from 6.30pm

Seminar 9: Enforcement: War Crimes Trials and Tribunals

One of the reasons for IHL's "renaissance" in recent decades is the way in which IHL has been transformed into a series of criminal sanctions, enforceable at an international level. This seminar will examine some of the key areas of jurisprudence emerging from the ad hoc tribunals for the Former Yugoslavia and Rwanda, and the progress towards first cases at the International Criminal Court. Which other hybrid courts now exist and how are they contributing to developing international law?

Monday 10 November, from 6.30pm

Seminar 10: Discussion, Activities and Revision of Course Themes

As with Seminar 5 in June, a chance to review, discuss and pull the final threads and themes of the course together. There will also be a chance to peruse Red Cross training materials: This might, for example, be useful for secondary teachers planning to incorporate IHL into their curricula, or ADF personnel required to teach IHL within their units. Some discussion of Red Cross volunteer options and/or Red Cross processes for recruiting overseas delegates. Finale and au revoir. Depending on the group we might decide to order pizza, or pop into the Redback next door for a celebratory drink!

Note: *All session themes may be open to change depending on the availability of speakers.*

Course Certificate

For those participants thinking of this seminar series as a 'course', and who would like to gain an Australian Red Cross Certificate of Participation, the following attendance is considered necessary.

Discounting the two Revision and Review evenings (June and November), participants should attend **a minimum of five of the eight** content-based seminars. It is compulsory to attend:

- Seminar 1 (February) – The Geneva Conventions and Additional Protocols
- Seminar 2 (March) – The Mandate and Work of the ICRC
- Seminar 3 (April) *OR* Seminar 4 (May) – ie Either one of the two sessions on the Military Application of the Law
- Seminar 6 (July) *OR* Seminar 7 (August) – ie Either one of the two sessions on Post-September 11 Issues
- Seminar 8 (September) *OR* Seminar 9 (October) – ie Either the session on the protective Emblems or on Enforcement: War Crimes Trials. Clearly this is a concession to end of year pressures! Both themes are highly recommended, and both are important in order to have a solid grasp of IHL overall. We will however, be reasonable, considering busy lives and especially as the year draws on.

It is the responsibility of those seeking the Certificate to ensure that their names are clearly shown/signed on our monthly attendance lists.